

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

AMERICAN ALLIANCE FOR
EQUAL RIGHTS, a nonprofit
corporation,

Civil File No. 0:24-cv-01748-PJS-JFD

Plaintiff,

**DEFENDANT’S UNCONTESTED
MOTION TO MODIFY SCHEDULING
ORDER**

vs.

TIM WALZ, in his official capacity
as Governor of the State of
Minnesota,

Defendant.

Pursuant to Federal Rule of Civil Procedure 16(b)(4), United States District Court of Minnesota Local Rule 16.3, and with Plaintiff’s consent, Defendant Tim Walz hereby submits this uncontested motion to modify the Pretrial Scheduling Order entered by this Court on July 17, 2024. Because Plaintiff filed the First Amended Complaint on January 3, 2025, Defendant moves to extend the discovery deadline to March 28, 2025, from February 14, 2025; and the dispositive-motion deadline to June 2, 2025, from April 21, 2025. Plaintiff agrees to the six-week extensions of the deadline for fact discovery and the deadline to file dispositive motions, and thus no hearing is required. This motion is based on the following:

1. On November 20, 2024, Defendant served Answers to Plaintiff’s First Set of Interrogatories and Responses to Plaintiff’s First Set of Requests for Production of

Documents. On December 4, 2024, Defendant received Plaintiff's Responses to Defendant's First Request for Production and First Set of Interrogatories.

2. Defendant intended to conduct further discovery regarding the members that Plaintiff relied on in its original complaint and identified through discovery. Defendant delayed such discovery because Plaintiff advised that it may file an Amended Complaint that would modify the members claiming injury.

3. On December 23, 2024, Defendant's counsel conferred with Plaintiff's counsel via email regarding an extension to the deadlines for discovery and dispositive motions based upon a potential Amended Complaint. Plaintiff's counsel gave written consent to a six-week extension for both deadlines.

4. On January 2, 2025, the Court granted Plaintiff's Unopposed Motion for Leave to File Amended Complaint. Plaintiff filed the First Amended Complaint on January 3, 2025.

5. Under Federal Rule of Civil Procedure 16(b)(4), a scheduling order may be modified for good cause. Plaintiff's filing of the First Amended Complaint constitutes good cause to modify the deadline for fact discovery and the deadline to file dispositive motions. As a result, Defendant respectfully requests that the Court grant this motion.

Signature on following page

Dated: January 9, 2025

KEITH ELLISON
Attorney General
State of Minnesota

s/ Erin Farmer

ERIN FARMER
Assistant Attorney General
Atty. Reg. No. 0402662

NICHOLAS LIENESCH
Assistant Attorney General
Atty. Reg. No. 0392322

445 Minnesota Street, Suite 1400
St. Paul, Minnesota 55101-2131
(651) 757-1263 (Voice)
(651) 297-2576 (Fax)

ATTORNEYS FOR DEFENDANT TIM
WALZ, IN HIS OFFICIAL CAPACITY AS
GOVERNOR OF THE STATE OF
MINNESOTA